

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

Blue Spike, LLC,

Plaintiff,

v.

Texas Instruments, Inc., et al.,

Defendants.

CASE NO. 6:12-cv-499 MHS

LEAD CASE

Jury Trial Demanded

Blue Spike, LLC,

Plaintiff,

v.

ZK Software Biometric Identification
Technology Co., Ltd. and ZK Technology,
LLC,

Defendants.

CASE NO. 6:12-CV-608 MHS

CONSOLIDATED CASE

Jury Trial Demanded

AGREED MOTION TO DISMISS

Plaintiff Blue Spike, LLC, on the one hand, and Defendants ZK Software Biometric Identification Technology Co., Ltd. and ZK Technology, LLC (“ZK Teco”), on the other, have reached a settlement of the above-captioned matter and have agreed to dismiss the claims, counterclaims, and causes of action between them.

Accordingly, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Blue Spike, LLC stipulates to the dismissal with prejudice of all claims and causes of action asserted in this case against ZK Teco, and ZK Teco stipulates to the dismissal with prejudice of all counterclaims and defenses asserted in this case against Blue Spike, LLC. The parties shall bear their own attorneys’ fees, expenses and costs.

By: /s/ Randall T. Garteiser

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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Federal Rule of Civil Procedure 5(d) and Local Rule CV-5(d) and (e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by email.

/s/ Randall T. Garteiser